

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA *ex rel.*
JASON W. NICKELL,

Plaintiff/Relator,

v.

MEDTRONIC, INC., ST. JUDE MEDICAL, INC.,
and BOSTON SCIENTIFIC CORPORATION,

Defendants.

ORDER
09-CV-203S

Upon consideration of the government's Notice of Intervention in Part and Declination in Part (Docket No. 60) and Stipulation of Dismissal (Docket No. 59) it is hereby

ORDERED, that pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and 31 U.S.C. § 3730(b)(1), the claims in this case are DISMISSED consistent with the terms and conditions of the January 14, 2015 Settlement Agreement, which provides that (1) all claims asserted on behalf of the United States against Medtronic, Inc. concerning the Covered Conduct as defined in Preamble Paragraph D of the Settlement Agreement are DISMISSED WITH PREJUDICE; (2) all other claims against Medtronic, Inc. are DISMISSED WITHOUT PREJUDICE to the United States and DISMISSED WITH PREJUDICE as to Relator; and (3) all claims against St. Jude Medical, Inc. and Boston Scientific Corporation are DISMISSED WITHOUT PREJUDICE to the United States or Relator.

FURTHER, that the Clerk of Court lift the seal on this case.

FURTHER, that the Clerk of Court SEAL the following documents: Docket Nos. 8–30 and 36–58.

FURTHER, that the Clerk of Court CLOSE this case.

SO ORDERED.

Dated: January 30, 2015
Buffalo, New York

s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court